

# House Amendment 8293

PAG LIN

1 1 Amend House File 2536 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 1 5 STUDY.  
1 6 1. The legislative council shall establish an  
1 7 interim study committee to evaluate a sale of the Iowa  
1 8 communications network, or a portion of the network's  
1 9 assets. The study shall include a review of legal and  
1 10 practical issues that may affect whether the sale of  
1 11 the network, or a portion of the network's assets,  
1 12 should be approved or rejected, or that may affect the  
1 13 terms under which a sale or partial sale should be  
1 14 completed. Issues to be included in the study shall  
1 15 include all of the following:  
1 16 a. The impact of a sale or partial sale of the  
1 17 network on existing authorized users.  
1 18 b. The impact of a sale or partial sale of the  
1 19 network on existing telecommunications providers, and  
1 20 on the development of the competitive local exchange  
1 21 market.  
1 22 c. The impact of a sale or partial sale of the  
1 23 network to a single provider on the state's continued  
1 24 use of the bandwidth at an affordable price.  
1 25 d. The effect of a sale or partial sale of the  
1 26 network on Part III leases.  
1 27 e. The protection of state interests including the  
1 28 assurance of affordable access to the network for  
1 29 public entities.  
1 30 f. The necessity of compliance with applicable  
1 31 state laws.  
1 32 g. Issues relating to the use of public rights-of=  
1 33 way by potential buyers of the network, or a portion  
1 34 of the network.  
1 35 h. The impact of a sale or partial sale of the  
1 36 network on Iowa businesses and citizens.  
1 37 i. Providing for a long-term lease of sufficient  
1 38 capacity to meet the needs of existing and future  
1 39 educational users of the network identified in chapter  
1 40 8D.  
1 41 j. A review of whether a sale or partial sale of  
1 42 the network should be completed pursuant to a request  
1 43 for proposals or by some other manner of sale.  
1 44 k. A review of the impact of federal  
1 45 communications commission policy pertaining to common  
1 46 carriage status of the network and the potential loss  
1 47 of universal service funds for kindergarten through  
1 48 grade twelve schools based on a sale or partial sale  
1 49 of the network, and recommendations on the manner in  
1 50 which the network should be sold to avoid an adverse  
2 1 impact on the state, educational users, and the  
2 2 network.  
2 3 l. The anticipated future requirements of the  
2 4 state for use of the network to address the state's  
2 5 technological needs.  
2 6 m. A review of the cost implications to the state  
2 7 if federal funds are lost due to a sale, or partial  
2 8 sale, of the network.  
2 9 n. Consideration of sales criteria including,  
2 10 among others, whether the network, or a portion of the  
2 11 network, should be sold to a single purchaser,  
2 12 multiple purchasers, or to a consortium of purchasers;  
2 13 and whether or not to establish a minimum sale price.  
2 14 o. A review of the necessity for continuation of  
2 15 the Iowa telecommunications and technology commission  
2 16 and the Iowa communications network operations center  
2 17 in the event that the network, or a portion of the  
2 18 network, is sold.  
2 19 p. A review, in consultation with the utilities  
2 20 division of the department of commerce, of the legal  
2 21 and practical issues involved in, and the merits of, a  
2 22 possible conversion of the network into a public  
2 23 utility.  
2 24 q. A review of the existing agreements between the  
2 25 state, the network, the federal emergency management

2 26 administration, and the department of defense, and the  
2 27 impact of a sale or partial sale of the network on its  
2 28 use during times of emergency or national disaster.

2 29 r. Other relevant issues as identified by  
2 30 committee members.

2 31 2. The committee shall consult with other state  
2 32 agencies, appropriate federal agencies, and private  
2 33 associations and vendors in completing its evaluation  
2 34 of a sale or partial sale of the network.

2 35 3. The interim committee shall be composed of ten  
2 36 voting members, representing both political parties  
2 37 and both houses of the general assembly. Five members  
2 38 shall be members of the senate, three of whom shall be  
2 39 appointed by the majority leader of the senate and two  
2 40 of whom shall be appointed by the minority leader of  
2 41 the senate. Five members shall be members of the  
2 42 house of representatives, appointed by the speaker of  
2 43 the house, three of whom shall be of the majority  
2 44 party and two of whom shall be of the minority party.  
2 45 Nonvoting members shall be appointed by the  
2 46 legislative council, in consultation with the  
2 47 governor, and shall include, but not be limited to,  
2 48 individuals representing the Iowa telecommunications  
2 49 and technology commission, an independent telephone  
2 50 company, a rate-regulated telephone company, the Iowa  
3 1 national guard, private industry, the state board of  
3 2 regents universities, the kindergarten through grade  
3 3 twelve public education system, community colleges,  
3 4 private colleges, the Iowa utilities board, the Iowa  
3 5 department of corrections, the emergency management  
3 6 division of the Iowa department of public defense, and  
3 7 a representative from the medical field.

3 8 4. The committee shall complete its evaluation and  
3 9 submit a written report of its recommendations to the  
3 10 members of the general assembly by December 1, 2004.>

3 11 #2. Title page, by striking lines 1 through 3 and  
3 12 inserting the following: 3 13 establishment of a committee to conduct an evaluation  
3 14 of the issues relating to the sale, or partial sale,  
3 15 of the Iowa communications network.>

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3 19 HORBACH of Tama

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3 22 \_\_\_\_\_  
3 23 SANDS of Louisa

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3 26 \_\_\_\_\_  
3 27 QUIRK of Chickasaw

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3 31 PETERSEN of Polk

3 32 HF 2536.703 80

3 33 rn/gg